

**MINUTES
CHICOPEE MOBILEHOME RENT CONTROL BOARD
OCTOBER 17, 2011 @ 6:00 P.M.**

MEMBERS PRESENT

Robert Hopkins, Sharyn Riley, Ronald Lafond

ALSO PRESENT

Christine Lessing Provost, Attorney to the Board

Robert Hopkins: First order of business on the minutes as distributed. Do we have minutes to approve tonight or no?

Christine Lessing Provost: No, we need to table those. There were some changes that needed to be made, I spoke to Chantal earlier today, so at this point, we need to table those until the next meeting so the revisions can be made.

Robert Hopkins: Very well, we will just table that until the next time. The old business before us is the three mobilehome parks owned by Mobilehome Parks, Inc. and the order in which I have them is Gill, Knollwood and Harmony Homes. I need to read Rules:

Bob reads Rules...

Robert Hopkins: Ms. Stemm, you are the representative on the Gill Park proposal.

Marcia Stemm: My name is Marcia Stemm and I am President of Mobilehome Parks Inc. I have a letter dated July 14 certified that I mailed and advised them of the hearing on October 17th. With that letter I also sent five copies of our presentation to the Board. I didn't receive any correspondence from any of the tenants. In reviewing all of our expenses we are requesting a total increase of \$6.37 per month per tenant. Attached you will find all the documentation for the increase. We are requesting \$6.37 bringing the monthly rent to \$246.72.

Robert Hopkins: Board, any questions for Ms. Stemm? Any questions from the tenants from Gill Mobilehome Park?

Christine Lessing Provost: Does the Board have any questions for Ms. Stemm regarding the increase? Okay, you can pursue with the tenants.

Robert Hopkins: Anybody from the tenants wish to speak or add anything to Ms. Stemm's request for an increase? We have received no items in writing by the date.

Robert Hopkins: Hearing no testimony from Gill, do we have a motion to move forward on the proposal from Mobilehome Parks Inc. of the increase of \$6.37 that was submitted with the documentation?

Sharyn Riley: I make a motion to approve.

Ronald Lafond: I second the motion.

Robert Hopkins: Any Discussion? All in favor.

Board: Yes. *Motion Passes Unanimously.*

Robert Hopkins: Gill Park has received their approved \$6.37 per month increase effective December 1, 2011. This is the earliest date the increase could take effect. You need to notify the tenants of our decision and we will notify you in writing of our decision as well.

Christine Lessing Provost. I have a comment, whether or not you are going to allow them to come back next year or in two years.

Robert Hopkins So we have to make a motion.

Ronald Lafond: Seeing there are three parks, why don't we get the other two done and just combine them.

Robert Hopkins: We will table that and put it under new business. Second park, Knollwood Estates, for the park owner, Marcia Stemm.

Marcia Stemm: Again, a letter dated July 14th I certified that I mailed each resident a copy of all the information regarding the rent adjustment hearing (inaudible)...We did all three parks the same way. We are looking for a total increase of \$6.08 per month per tenant which is a total of \$198.46 per month.

Robert Hopkins: Board, any questions for Ms. Stemm?

Board: No.

Councilman: Inaudible.

Robert Hopkins: Excuse me, councilor, according to the Rules are you speaking on behalf of the tenants?

Councilman: Yes.

Christine Lessing Provost: Are there any tenants from Knollwood here? Have they authorized you to speak on their behalf?

Robert Hopkins: For the record he is speaking for the tenants. Since the tenants would like you to speak on their behalf, why don't you go first.

Councilman: The maintenance of the grounds, I know that we can't talk about maintenance, but I don't think it's unreasonable if some of the concerns that they have, were addressed to the Board.

Robert Hopkins: Actually, correct me if I'm wrong Councilor, we have to consider the evidence that's considered within the applicable time limit to give Ms. Stemm an opportunity to rebut any questions by the tenant and vice versa. Is that correct?

Christine Lessing Provost: Nothing else has been provided on the tenant's behalf, there's no further evidence going to be taken on that and we are not allowed as a Board to mediate disputes they may have about whether or not the grass got cut, or whether or not the snow was appropriately removed at any given time or the trees fell down, that's not before the Board.

Councilman: I wish she would address some of these issues because there are pot holes...(inaudible).

Tenant: (Inaudible).

Robert Hopkins: They can come back within two years if the Board does not...if the Board decides to prohibit them from coming back for two years, they can come back next year if they wish unless the Board makes a vote and decides not to allow them to come back. Coming back more frequently results in smaller increases. It's a case by case thing.

Tenant: I'm curious, when the councilman mentioned the potholes in the road, those potholes need to be fixed. To me if the job was done right the first time, I would think she would take the money to fix the holes. It's an ongoing issue and needs to be addressed.

Robert Hopkins: Again, it's not relevant to what we're talking about in terms of the evidentiary procedure, but we can certainly give you an opportunity to speak.

Tenant: Question.

Robert Hopkins: It is and the quality of that work is a different issue than whether or not those funds were expended, or assigned purpose. We look at the books. Our purpose is to make sure that rent increases are not unreasonable based upon the evidence presented to the Board. For example; your park wants an increase of \$6.08 based upon information they brought to us about snow removal, sweeping, trash and increase in real estate taxes. We're only considering based on those four issues. We cannot take new evidence tonight. You were all notified under the pains and penalties of perjury. Anybody else from Knollwood?

Tenant: My name is Jeffrey Herd and I live at 138 (inaudible) Ms. Stemm of Mobilehome Parks you're in violation for a number of (inaudible) Attorney General. I'd like to sincerely request that any and all rent increases be suspended. There are numerous park issues for maintenance.

Robert Hopkins: We do not dictate how someone runs their business, how they spend the income that they get.

Christine Lessing Provost: Not within this Board, they can seek counsel on how to proceed.

Robert Hopkins: Anybody else wish to speak from Knollwood? Hearing none, this completes the presentation. Proposal calls for \$6.08 based on trash, taxes, snow removal and street sweeping and we have documentation submitted for backup. Do we have a motion to move forward on the \$6.08?

Sharyn Riley: I will make that motion.

Ronald Lafond: I second.

Robert Hopkins: Discussion? The \$6.08 is considered legitimate and proved. *Motion passes unanimously.* Again, the park cannot make it retroactive. The earliest you can increase that \$6.08 is December 1, 2011 and we will still make an order at the end of the meeting. The final piece of old business before us tonight is Harmony Homes Village. Again, Mobilehome Parks, Inc. Marcia Stemm is the person representing the Mobilehome Parks, Inc. Would you proceed for the owner please.

Marcia Stemm: Inaudible...

Robert Hopkins: Is it considered rebuttal evidence Councilor?

Christine Lessing Provost: That's your decision.

Robert Hopkins: I'd say yes in the interest in having the information.

Christine Lessing Provost: It's up to you as chair.

Marcia Stemm: I'm going to start with snow plowing which seems excessive. The problem when you go to snow plow a property is that it's based on the number of inches and based on the property and, obviously, Gill Park has 55 tenants and Harmony Homes Village has 123. So when you take that overall cost and you divide it by the number of tenants it comes out less per tenant than others. That particular park (Knollwood) only has 37 tenants to divide by. There were no funds allowed for maintenance.

Side B

Robert Hopkins: Harmony Homes, Ms. Stemm, would you present your proposal for Harmony Homes.

Marcia Stemm: Last but not least is the Harmony Homes Village, again on July 14, 2011 I sent to the Rent Control Board and a copy of all the information regarding the rent adjustment hearing before July 20, 2011 and I also notified all tenants by letter dated July 13, 2011 that they

need to provide information to the Board and to us by August 19, 2011 and that the rent adjustment hearing is on October 17, 2011. Once again, I did not get any information from anyone of the Harmony Homes Village on the proposal. We are looking for a total increase for Harmony Homes Village of \$10.60; trash removal, cost per tenant per month is \$11.01 the amount allowed in May 1993 per tenant per month was \$10.01, so that's an increase of \$1.00 per tenant per month. The real estate taxes really have taken a jump since May 2008. The cost per tenant per month is \$23.74, the amount allowed in May 2008 was \$16.75 which is an increase of \$6.49. On snow plowing and sanding, this is, again, an average of the three years 2009, 2010 and 2011 that we paid to the sub-contractor for snow plowing and sanding, the cost per tenant per month is \$12.40. The amount allowed May 1, 2008 per month per tenant was \$10.02, which is an increase per tenant per month of \$2.38. As for street sweeping, in 1990 the Rent Control Board requested that the streets be swept yearly, but the 1993 Rent Control Board failed to allow this as an expense. We have now been sweeping the streets each year for the last 20 years but have never been reimbursed for this expense. In Harmony Homes Village it costs us .73 per tenant per month for street sweeping the amount allowed for this in May 1993 was zero so we are looking for an increase of .73 per tenant per month. The total increase we are requesting \$10.60, the current rent is \$231.80, to a monthly rent of \$242.42.

Robert Hopkins: Okay, thank you. Any tenants from Harmony Homes Village wish to speak? Again, we've received nothing in writing in terms of an alternate proposal or rebuttal.

We have a proposal from Mobilehome Parks, Inc. regarding the Harmony Homes Village looking for an increase of \$10.60. Motion to approve?

Ronald Lafond: I make a motion.

Sharyn Riley I will second that.

Robert Hopkins: Is there any further discussion on the four items in particular or on the Harmony Homes proposal? All in favor?

Board: I.

Robert Hopkins: Motion carries. Motions passes unanimously. Same as before \$10.60 rent increase for Mobilehome Parks, Inc. Harmony Homes Village effective December 1, 2011 not to be retroactive. Regarding the three proposals that came before us this evening the Board has an option to bar these parks in coming back for up to a period of two years for a future rent increase or we can decide to let them come back within a year or whenever they feel like they have to come back.

Ronald Lafond: I make a motion.

Robert Hopkins: We have a motion on the floor to have them come back within a year.

Sharyn Riley: I second that motion.

Robert Hopkins: Discussion. All in favor

Board: I.

Robert Hopkins: Motion carries. *Motion passes unanimously.* Any other new business to come before us this evening?

Christine Lessing Provost. No.

Robert Hopkins: Hearing none, our next meeting is in January 9, 2012 for Westover Park.

Motion to adjourn meeting at 7:17 p.m.